

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

ANDRE RENE SCOTT,

Petitioner,

v.

STU SHERMAN,

Respondent.

No. 2:20-cv-0904 KJM CKD P

ORDER

Petitioner, a state prisoner proceeding pro se, has filed an application for a writ of habeas corpus under 28 U.S.C. § 2254. The matter was referred to a United States Magistrate Judge as provided by 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On May 7, 2020, the magistrate judge filed findings and recommendations herein, which were served on petitioner and which contained notice to petitioner that any objections to the findings and recommendations were to be filed within twenty-one days. (ECF No. 3.) Petitioner has filed objections to the findings and recommendations. (ECF Nos. 4, 12.)

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 304, this court has conducted a *de novo* review of this case. Having reviewed the file, the court finds the findings and recommendations to be supported by the record and by the proper analysis.

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Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed May 7, 2020 (ECF No. 3), are adopted in full;
2. This action is dismissed without prejudice as an unauthorized successive petition; and
3. The court declines to issue the certificate of appealability referenced in 28 U.S.C. § 2253.

DATED: July 8, 2020.



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CHIEF UNITED STATES DISTRICT JUDGE